

**MINUTES  
PUBLIC HEARING  
JUNE 14, 2021  
5:00 PM**

**PRESENT:                   MAYOR, MARILYN RODMAN  
                                  DORRAINE PARMLEY  
                                  JESSICA FAVALORO  
                                  ALVIN POWELL  
                                  NATE WILSON**

**The Public Hearing was called to order by Mayor Rodman and she turned the hearing over to the City Attorney. Mr. Sam Elliott stated the purpose of the public hearing is to discuss Ordinance 12-21 an ordinance to amend and rezone parcel 002.07 Marion County tax map 022K, Group C from R-3 to C-3. There was a technical defect in the ordinance at the previous public hearing. He also stated that the council discussed additional conditions to the site plan with RBT and this would be considered contract zoning and that is not legal in Tennessee. He advised the council not to proceed with this agreement. The council will not proceed.**

**Mr. Travis Wilson engineer for the town stated that the flow monitors were installed in the spring to monitor the I & I and the capacity issues. The results are clear there are no capacity issues within the basin and the flow from the project location are good. The I & I issues are to the north of the system and down stream from the project. There are no issues at the project location.**

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**Mary Beth Best – Ms. Best had a poster of businesses in town that are hiring. She stated that we are not here because we need jobs. She lives at 521 Lautzenhiser Place. She is speaking as a homeowner. She indicated that the council had already make up their mind and that they know how they are going to vote. You are going to take away the R-3 zoning that was put in place in the 80's to protect us. This is the 4<sup>th</sup> time that this has been voted on to take away the R-3 buffer against the advise of their attorney, against the expert opinion of structural engineers also a resident of Monteagle, against extensive research done by the citizens of this community in a note book. She wished that the council would have done a note book for them. Against the advice of the American Lung association and against the will of the people in favor of the developer. There is another election coming and the most powerful thing we hold is our vote.**

**Debra Reed – My name is Debra Reed am not going to repeat everything that I said before because you already heard it. To me it is just a travesty, an absolute travesty what's getting ready to happen. And I was just down the street a while ago, sitting there watching all these trucks coming in, there must have been I don't know 20trucks lined up down there. The traffic issues, the noise pollution, the air pollution, the environmental pollution, it is just staggering to me, that we are just here talking about this. It's just, Truly unbelievable. And I am going to say one more time, please please think about the people.**

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**OSCAR FITZGERALD** My name is Oscar Fitzgerald we have a cottage in the Assembly. We came up here because this was the entrance to the Cumberland Plateau, Beautiful place. Do you want this place to be known as the largest Truck stop in the city, in the state? Is that what you want? People come up here and they support the businesses, and they come up here to retire. And they come up here to buy houses and they come up here to enjoy this place. How are you going to enjoy it with 300 trucks. It is bad enough now, you can hear them coming up the mountain, do you want to hear them 24 hours a day? And I had a question about the sewer, have you figured out how much water they are going to flush down the sewer? I mean just think of it 300 trucks, that is at least 300 flushes, that is at least 5 gallons a flush. Have you figured that out, I am just curious. Can you answer that question?

**Travis Wilson** -- Yes, all of that information will be in our final report, we have gotten all the information from the developer regarding what facilities will be incorporated in the facility. So all of that was taken into account.

Well, you know, I think people are thinking that the truck stop is going to be a plus for the city. I think the plus is all the people moving that are moving up here because it is such a great place. And I tell you, you put a truck stop in and people are going to be going the other way. And all that benefit that you think you had will go away. And it will be

a big thing, and that is something you have to think about 20 years from now, when this place is a ghost town.

**SHEILA HAULSTON --** I am fairly new to the mountain, my name is Shelia Haulston, we had property up here for 21 years and we paid taxes. And the reason I found the property 21 years ago was because I was trying to escape trucks on the interstate, because we lived in Florida at the time. I plan to be a registered voter, because we are not registered yet, but my name is on that petition. We moved up here because it is so beautiful and so peaceful. We came from Florida and we are natives of Tennessee. We moved there 34 years ago. You guys have the most beautiful part of the country, in your hands right now, that you can keep that way. I beg of you to please reconsider this truck stop. I live at 519 Lautzenheiser right next to Billy and Mary Beth Best, and we hear trucks and bulldozers and everything as it is and we don't have 300 trucks yet. I have gone to the Pilot station and set there in the evenings and watched them one after another. Pull in, back out, move, and the noise and the waste that they produce, they come out of their trucks with jugs of urine, I am sorry that I have to be so graphic, but they have trash and garbage, that isn't going in the sewer system, that is going in the ground water. That is effecting all the streams going down from this mountain, even the Caverns, the things that people come here for. I felt blessed when we found this piece of property up here. We have looked forward for 20 years to live here, and 2 months after we get here, we find out we've got a Truck stop 200 ft from our front door. Please reconsider this I beg of you, to please reconsider this. And that is all I can say. Please put that in your notes, Thank you.

**MARY CLARK --** I am Mary Clark, I have lived up here full time for 20 years now I have been coming here all of my childhood. And my family has been here from the time of my Great Great Grandmothers. I love the mountain. You all know how I feel about this truck stop

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going in. I want to be sure you understand that this isn't, this isn't personal against anyone here. And I really regret that it has been taken that way. I really think that you should be thankful that there are people here who care deeply about the character of the mountain and preserving it for the future. I regret, as Mary Beth said, that there are people here, business owners in town, a lot of people who have talked to me and talked to many of us privately, and said, I am afraid to say anything, I am afraid for the council to find out, and part of that is because someone had posted, I hope these people remember, you know, that are against the truck stop, next time they want a favor from the council. And it shouldn't be about that, and that is wrong. Umm and that is really all I have to say. This is really about the character of Monteagle going forward, it is not anti any development at all, there can be development that is sustaining and nurturing to a community. This won't do that.

**JOANN ATWOOD -- I am Joann Attwood, and I live directly across the street from the development, on the corner of Sampley and Trussell. You guys inherited this issue, it did not start with this administration, and we all recognize that. The people that I have talked to on this panel and the planning commission before the election were all in favor of the truck stop. Every one of you that I have talked to before the election was in favor of the truck stop. From my perspective, it seems that regardless of the information that has been provided, the documentation, the concerns, this council just continues to push through what was decided before the election. You all were elected, and the stance hasn't changed. That is so**

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**discouraging to me. You have been given a 500 page document with legitimate concerns. And nobody has wavered in their opinion. And I wonder why. We bought our property 13 years ago. At the time that we bought that, we have an acre and a half. Our side yard was divided in two by a ditch, that comes across as the run off from the truck stop area, through our property so our neighbors property and then through right down the mountain. At that time my husband wanted to fill that in so we could mow. And we were asked by the city, not to do that because it would disrupt the natural flow. We honored that request, we put a bridge over there, we didn't fill it in. But now I am thinking that with that truck all of the oil and the urine and everything will run through our yard and we will fill it in. It will not only get into the water system we will not have that in our yard. So I would just ask that you have the courage of your conviction to change your mind and look at this objectively long term development for this community, development as some else said is a great thing and we want that but the people with discretionary income are not going to come to Monteagle Tennessee. If I were to do it again and we were moving here because we wanted a quality of life that was peaceful and natural I wouldn't move here. So please consider and vote your heart, vote what is right, not what you have decided before the election vote what is in the best interest of the citizens because that is what you are charged to do.**

**RODNEY KILGORE – Good evening I am Rodney Kilgore I am one of the developers of the property. I want to answer some questions I've heard here tonight. First off we are talking about rezoning 4 acres.**

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**The other has been commercial for years, this cannot stop the truck stop. If this is voted down tonight it will not stop the truck stop. The trucks are here, this will be a travel center, a Taco Bell, Bojangles, a grill meat & 3, it's not just going to be a truck stop. The trucks are already here they are at the Chinese place they are right here behind Jesse's. The good thing about this situation is the wetlands, we put ponds in to show people that it wasn't wetlands, it is catching all the water and the wetlands aren't wetlands anymore. So that shouldn't have been wetlands to start with. There isn't water going toward the houses that hasn't went there for years, it's in the ponds. You can drive by when you leave and look at the ponds. There are going to be more ponds. You should be happy that this is coming because of the ponds the chemical spill would have been over on this property and if it busted it would be in the ponds and wouldn't be running down the streets. All that is going to be nice and neat and cleaned up and be an unbelievable place. I can't believe ya'll thinking about the pollution. You should have rode a bike or walked here tonight. Your car puts out more pollution than the trucks. The trucks run on DL they go to California the pollution is not like it was 20 years ago. I've been in trucks, I do hazmat I'm the guy that cleaned this up if you didn't know. All of your experts that are here tonight, I am sharp on this. You have ponds here now to save you. We are safe now. The trucks are here we are not building a truck stop to get trucks to stop here they are already here. They are on the off ramps everywhere. If you keep them on the road you wouldn't have nothing, you wouldn't have nothing to eat. The trucks supply the world. When we were home for covid they were on the road. We are just trying to manage them and put them in**

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**a place. This is more than a truck stop, it is going to bring a lot of money to this town. We need money for roads, the city does not have city taxes. I have a lot of property here I am buying 14 acres on Trussell Road, I have property that nobody knows about. I grew up in a little town of Whitwell, they have nothing because of the people in town, people have moved out of that town down to Jasper that is where I moved. Dunlap is growing every day. So, I don't know what you want. You are getting something that is coming here, businesses are shutting down and we are begging to open a business. This town should be supporting it. No one wants to work, we will have to pay big money to get employees. When you have Walmart paying \$14.00 an hour.**

**LUCY KEEBLE – With all due respect to all of you who serve out of consideration for the innocent and not so innocent. I've not mentioned any names and I've said this many times, it's old hat for those of you who have been around since last summer. It seems that the city officials have linked arms in support of a toxic oversized truck stop in the heart of our small town. Slipped in and wedged into an existing neighborhood of longtime homeowners and historic landmarks next to parks and pathways next to a library and a school. These players may vote again tonight to steal the remnants of an R-3 buffer created to protect single family homeowners from commercial development. An SETD authority assured me that no one there would ever recommend moving R-3 between R-1 and commercial but one of their agents hired to do the cities bidding has stretched the concept of interstate commercial corridor and driven it into our neighbors front**

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**yards. This group seems ok with letting Monteagle become a two bit interstate exit instead of an inviting mountain town at the hands of those who do not live here or could care less about those who do. Will revenue gained in this way ever be worth the price we will pay. If this council votes to steal more acres of protection from these neighbors they will be voting to steal our health and safety. To increase noise, traffic, light and air pollution. I will be a vote to invite crime, drugs, human trafficking and prostitution. What will they take next in the name of revenue? The developers have bought and doubled down in the wrong place. For years they have refused to honor the ordinances governing paving, fencing and landscaping. And remain in violation of TEDEC permits. Construction began months ago, on your watch and continues without a building permit, and with no enforcement. How do you expect the story to end when enforcement is not even handled. Each member of this large group, this posse, received a thick binder with months of research, reports, letters, maps, and photographs gathered in one place. Support for denying a truck stop in this location. One who seemed to speak for all, said she had perused it, ad nauseam. Why does key information, important to protecting Monteagle residents make a city official feel sick? When no one else showed up to defend the developers plan, their attorney, grasping, tried to discredit the expertise and findings of a professional engineer who cares deeply for Monteagle. His home. His credentials along with his findings regarding the negative impact of a truck stop in this location, are above reproach. His uncompensated contributions of time and energy, were not made for his own benefit, but for the benefit of all of us, who call**

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**Monteagle home. When those who serve choose to ignore the importance of protecting us, I think we need to ask why.**

**RUSTY LEONARD -- Well, I have been called out, and as a result I don't think I have any choice but to speak. First of all I do not question Mr. Wallers expertise in engineering. I have used him, as an engineer, in at least one lawsuit Okay. But that binder has information about pollution, about water pollution, nuance many things that Mr. Waller is not an expert at. I don't propose to be a doctor, because I didn't go to medical school. I am a lawyer, I went to law school. I cannot profess to have any other expertise but that which I have. Mr. Waller, only has engineering experience. He is Not a pollution expert. He is not a diesel mechanic expert. He is none of those things that were otherwise pointed out in that binder as him being an expert to. It's not true. Now this mountain has always had trucks going over the top of it. This mountain has always, from the day that I first set foot on this mountain, has always had a truck stop. And there was a truck stop here before I set foot on this mountain. There have always been truck stops here. Because the top of this mountain, every truck has got to go over, to get where they are going. Either in one direction, or the other, so you are going to have the noise to some extent, but it is not going to be the same as it used to be, because they have changed the way these operate, both with regard to the fuel and the sound, to a large extent. Now, you can't stop them from going over the top of the mountain. And they are going to have to fuel up somewhere, they are bringing products for homes, for families, for your safety for everything you need in life. They do a service. Are their some that are not so great, that is**

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**true with every institution, every profession. Their are good lawyers, and there are bad lawyers. Good doctors and bad doctors. There are people in every branch of everything that may not be so perfect. But over all, truckers serve a valuable purpose. Now this isn't just for truckers, this is for families as well. Bottom line, if they stop to get gas and they stop to eat, maybe they will cruise through town and stop at somebody's shop. You don't know. I didn't interrupt you guys. Are you going to offer me the same kindness? Thank you. The bottom line is folks, Mr. Kilgore was correct even if the 4 acres does not get rezoned, this is not going to stop this project. And the lawsuit that has been filed is not going to stop this project, that I can guarantee you. The project is a project that I think will do some good for this town, and will do some good for the area. I am sorry you don't see it. But that is the bottom line. Thank you**

**What Rusty just said, he assured us that this is going to happen, weather or not that four acres and the other 2 that are designated wetlands are rezoned or not. Then why rezone it? You can at least, at this point, protect the neighbors.**

**I want to add one thing briefly, and I mentioned this to a local barber, if a local barber wanted to expand his barber shop, and he owned a piece of ground right next to it and the city said no, you can't expand your local barber shop, because we are going to keep that an empty lot. He owns it. He has the right to do with it, to a certain extent, what he wants to do. You have the right to build a home on your property.**

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**BILLY BEST -- I live at 521 Lautzenheiser Place. As I understand it we have a zoning attorney here that can probably tell you that just because you purchase a piece of property, with the correct zoning, does not guarantee them the use of that property.**

**I am not here to give you legal opinions sir. Well, it does not.**

**That is arguable. You know the council has asked in the past to give them legal reasons that they actually deny this, and you have been given reasons why, they have been ignored. Ms . Attwood brought up something earlier, it has been an interesting fact for me anyway.**

**Before this group was even elected, not only had we been told this truck stop was a done deal we had been told who was going to be appointed to the commission, who was going to be voted in as Alderman and if particular aldermen were elected they would be run off, as been alderman and who they were going to replace them with. And everything that we have been told has happened, to this point so far. I was even told in Tracy City, back during the summer, I'll bet you this gets done. And here we go tonight gonna get this done. Ms Clark brought up the fact that if it doesn't matter if this property gets rezoned, then why rezone it? Why not leave it the way it was? I don't understand why we are arguing over 4.25 acres to, when that tract was 6.25 acres if someone could explain that to me, that is another question we have been asking for a year and no one has answered. There has been a lot of questions with the previous administration. A lot of questions made to this administration, and we feel like many of them have not been answered yet. I understand that something I find amazing, quite honestly after attending council meetings in other city's that every vote that we have had on this truck stop, has been voted on and approved unanimously. Like no one has a conscious, not one person disagrees with anything that is**

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**going on. Every vote that has been taken so far on the commission and this counsel has been voted on unanimously, not one person has voted in opposition, yet, we have showed up here for over a year. Every single person who has come into this room has been in opposition to the truck stop, and there has been maybe 1 person that has spoken for it. So I don't understand why this big campaign out there by our local politicians, that this is wanted and it is needed. That has not been the case with the people I have talked to. And that has not been the case with public perception, and the people we have spoken with. The only people that seem to want it, are the ones who seem to have a vested interest in it. You guys politic-ed on getting trails built. You politic-ed on getting bridges built on your roads, water bills made with certain entities in this town. And I understand that you have promises that you need to keep. but not at the expense of our property, not at the expense of our peace. I believe that you need to reconsider this. There are other ramifications that can come from it being approved, if that is the case that is what we will have to do, pursue those.**

**DEBRA REED -- This is just something, I keep hearing this, that there has always been truck stops here. Well, there hasn't always been 2or 300 trucks stops here. I mean truck drivers.**

**There being no other business, the meeting adjourned at 5:40 pm.**

**Respectfully Submitted,**

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**Mayor, Marilyn Rodman**

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**City Recorder, Debbie Taylor**